

AMENDED IN ASSEMBLY APRIL 25, 2013

AMENDED IN ASSEMBLY APRIL 16, 2013

AMENDED IN ASSEMBLY MARCH 21, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1193

Introduced by Assembly Member Ting

February 22, 2013

An act to amend Section 891 of the Streets and Highways Code, relating to bikeways.

LEGISLATIVE COUNSEL'S DIGEST

AB 1193, as amended, Ting. Bikeways.

Existing law requires the Department of Transportation, in cooperation with county and city governments, to establish minimum safety design criteria for the planning and construction of bikeways, and requires the department to establish uniform specifications and symbols regarding bicycle travel and bicycle traffic related matters. Existing law requires all city, county, regional, and other local agencies responsible for the development or operation of bikeways or roadways where bicycle travel is permitted to utilize all minimum safety design criteria and uniform specifications and symbols for signs, markers, and traffic control devices established pursuant to that law.

Existing law also requires the department, by June 30, 2013, to establish procedures to permit exceptions to the above requirements for purposes of research, experimentation, testing, evaluation, or verification.

This bill would prohibit the department from denying funding to a project because it is excepted pursuant to these procedures.

~~The bill would provide, to the extent that a design exception is determined to be consistent with generally accepted professional engineering practice and is approved pursuant to the procedures adopted under these provisions, that determination constitutes substantial evidence on the basis of which a reasonable legislative body or public employee could have approved the plan or design without liability.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 891 of the Streets and Highways Code
2 is amended to read:
3 891. (a) All city, county, regional, and other local agencies
4 responsible for the development or operation of bikeways or
5 roadways where bicycle travel is permitted shall utilize all
6 minimum safety design criteria and uniform specifications and
7 symbols for signs, markers, and traffic control devices established
8 pursuant to Sections 890.6 and 890.8, except as provided in
9 subdivision (b).
10 (b) The department shall establish procedures to permit
11 exceptions to the requirements of subdivision (a) for purposes of
12 research, experimentation, testing, evaluation, or verification. ~~To~~
13 ~~the extent that a design exception is determined to be consistent~~
14 ~~with generally accepted professional engineering practice and is~~
15 ~~approved pursuant to the procedures adopted under this~~
16 ~~subdivision, that determination shall constitute substantial evidence~~
17 ~~on the basis of which a reasonable legislative body or public~~
18 ~~employee could have approved the plan or design within the~~
19 ~~meaning of Section 830.6 of the Government Code.~~ The department
20 shall not deny funding to a project because it is excepted pursuant
21 to this subdivision.

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